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March 29, 2022

Via ECF

Hon. Kenneth M. Karas
United State District Judge
Southern District of New York
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601

**Re: Chad Stanbro v. Frank Weber, DDS, et al.
7:19-cv-10857-KMK
Chad Stanbro v. Palou, et al.
20-CV-01591
Our File No.: 805197**

Dear Judge Karas:

As you know from my letter application I am the attorney for Dr. Weber in the above-captioned lawsuit and I am responding to Mr. Siven's letter of March 24, 2022.

First of all I do not know all of the workings of the State Court system coming out of Covid but from speaking with three Judges recently at conferences they are under instructions to move cases and we have been getting firm trial dates. Judge McMahon is the trial assignment Judge and as you can see from the enclosed directive from the Court we are to report directly to the jury selection part on July 6th after which we will be immediately assigned to an available Judge. Plaintiff's counsel's suggestion that this is a soft date is not accurate. We did not have a firm trial date from your Honor at the conference and Judge McMahon selected the date, not us.

I raised the remote testimony of my expert only to see if there were any objections to it and since there is not that is not an issue.

Finally, I will let the Attorney General's office weigh in on the settlement prospects but from what we have heard at conferences as I previously indicated the time is too short to engage in settlement discussions which all parties want to do.

Mr. Siven is also misinformed from his apparent search of my law firm website since while we may have 100 lawyers almost 90% of them are in Pennsylvania and not in the New York City office. We have a small group and most of our cases are with clients who have restrictions on what attorneys can work on the files and who must try them. The attorneys are not interchangeable as he may suggest. In the Stanbro case I am the only attorney approved by the AG's office to try the case and there would not be another attorney available to try it. The Barlotta case is with an insurer that only allows me to take depositions and try the case and again it would not be the simple task plaintiff's counsel suggests to have one of the other hundred lawyers try it.

I am available to try the case any time earlier in June if that is a possibility or the option of adjournment to October.

Very truly yours,

RAWLE & HENDERSON LLP



By:

Robert A. Fitch

cc: All parties via ECF